

**Notice of Allowability**

Application No.

10/827,420

Examiner

Michael Y. Won

Applicant(s)

GROVES ET AL.

Art Unit

2155

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed April 20, 2004 and Interview conducted December 21, 2007.
2. ☒ The allowed claim(s) is/are 1,3-12,14-16,18-22,24-33,35-37 and 39-71 (renumbered 1-65).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>attached</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>8/11/04</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                  | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.   |

/Michael Won/  
Primary Examiner  
December 21, 2007

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Andrew T. Foy on December 21, 2007.

3. The application has been amended as follows:

1. **(Currently amended)** A method for sharing electronic content, the method comprising:

enabling access to a ~~buddy~~ contacts list user interface that makes perceivable user-identified online identities and real time presence information for at least some of those online identities;

based on user manipulation of the ~~buddy~~ contacts list user interface, enabling designation of several online identities that constitute a subset of the online identities for whom presence is indicated within the ~~buddy~~ contacts list;

receiving from the user an indication of content to be shared with each of the online identities designated;

determining which of the designated online identities are presently online;

resolving a cascaded delivery rule to choose one or more delivery mechanisms for communicating the content to the designated online identities;

using the chosen delivery mechanisms to independently communicate the content to the designated online identities, including:

establishing separate communications with each of the online identities designated by the user; and

~~communicating content on behalf of the user independently to each of the online identities designated by the user.~~ user,

communicating the content to the designated online identities that are presently online using instant messaging, and

communicating the content to the designated online identities that are not presently online using a communications program other than instant messaging.

2. (Cancelled)

9. (Currently amended) The method of claim 8 wherein the calendar event is dropped onto a representation of the designated online identities in the ~~buddy~~ contacts list to inspire communication of the calendar event, or a corresponding invitation, to each of the designated online identifies separately.

10. (Currently amended) The method of claim 8 wherein a representation of the designated online identities in the ~~buddy~~ contacts list is dropped onto the calendar event to inspire communication of the calendar event, or a corresponding invitation, to each of the designated online identifies separately.

**11. (Currently amended)** The method of claim 1 wherein the content to be shared is dropped onto a representation of the designated online identities in the ~~buddy~~ contacts list to inspire communication of the content to each of the designated online identities separately.

**12. (Currently amended)** The method of claim 1 wherein a representation of the designated online identities in the ~~buddy~~ contacts list is dropped onto the content to be shared to inspire communication of the content to each of the designated online identities separately.

**13. (Cancelled)**

**14. (Currently amended)** The method of claim ~~[[13]]~~ 1 wherein electronic mail is the communications program used to communicate the content to the designated online identities that are not presently online.

**15. (Currently amended)** The method of claim ~~[[13]]~~ 1 wherein instant messages are used to communicate the content, wherein delivery of the instant messages is delayed until the designated online identities that are not presently online ~~to the designated online identities that are not presently online~~ are again online.

**16. (Currently amended)** The method of claim ~~[[13]]~~ 1 further comprising providing the user with options to communicate the content to the designated online identities that are not presently online using a communications program other than instant messaging.

**17. (Cancelled)**

18. **(Currently amended)** The method of claim ~~[[17]]~~ 1 wherein ~~[[a]]~~ the cascaded delivery rule is specified for each of the designated online identities by each of the designated online identities.

19. **(Currently amended)** The method of claim ~~[[17]]~~ 1 wherein the user specifies ~~[[a]]~~ the cascaded delivery rule for each of the designated online identities.

22. **(Currently amended)** A computer system for sharing electronic content, the computer system comprising:

an access module configured to enable access to a ~~buddy~~ contacts list user interface that makes perceivable user-identified online identities and real time presence information for at least some of those online identities;

a user designation module configured to enable designation of several online identities that constitute a subset of the online identities for whom presence is indicated within the ~~buddy~~ contacts list based on user manipulation of the ~~buddy~~ contacts list user interface;

a content selection module configured to receive from the user an indication of content to be shared with each of the designated online identities;

a presence-determining module configured to determine which of the designated online identities presently are online;

a rule resolution module configured to resolve a cascaded delivery rule to choose one or more delivery mechanisms for communicating the content to the designated online identities;

a communications module configured to use the chosen delivery mechanisms to independently communicate the content to the designated online identities by:

~~a communications establishing module configured to establish separate communications with each of the online identities designated by the user; and~~

~~a communications module configured to communicate content on behalf of the user independently to each of the online identities designated by the user.~~  
user,

communicating the content to the designated online identities that are presently online using instant messaging, and

communicating the content to the designated online identities that are not presently online using a communications program other than instant messaging.

**23. (Cancelled)**

**24. (Currently amended)** The computer system of claim 22 wherein further comprising a response-receiving module configured to receive responses from online participants such that responses received from each online participant are not viewable by the other online participants.

**26. (Currently amended)** The computer system of claim 22 wherein ~~designating includes selecting particular~~ the user designation module is configured to enable the user to designate online identities using a mouse pointer.

**27. (Currently amended)** The computer system of claim 22 wherein designation of several online identities is a manual process performed by a user.

**30. (Currently amended)** The computer system of claim 29 wherein the content selection module is configured to enable the calendar event ~~[[is]]~~ to be dropped onto a representation of the designated online identities in the ~~buddy~~ contacts list to inspire communication of the calendar event, or a corresponding invitation, to each of the designated online ~~identities~~ identities separately.

**31. (Currently amended)** The computer system of claim 29 wherein the user designation module is configured to enable a representation of the designated online identities in the ~~buddy~~ contacts list ~~[[are]]~~ to be dropped onto the calendar event to inspire communication of the calendar event, or a corresponding invitation, to each of the designated online ~~identities~~ separately.

**32. (Currently amended)** The computer system of claim 22 wherein the content selection module is configured to enable the content to be shared ~~[[is]]~~ to be dropped onto a representation of the designated online identities in the ~~buddy~~ contacts list to inspire communication of the content to each of the designated online identities separately.

**33. (Currently amended)** The computer system of claim 22 wherein the user designation module is configured to enable a representation of the designated online identities in the ~~buddy~~ contacts list ~~[[is]]~~ to be dropped onto the content to be shared to inspire communication of the content to each of the designated online identities separately.

**34. (Cancelled)**

**35. (Currently amended)** The computer system of claim ~~[[34]]~~ 22 wherein electronic mail is the communications program used to communicate the content to the designated online identities that are not presently online.

**36. (Currently amended)** The computer system of claim ~~[[34]]~~ 22 wherein instant messages are used to communicate the content, wherein delivery of the instant messages is delayed until the designated online identities that are not presently online ~~to the designated online identities that are not presently online~~ are again online.

**37. (Currently amended)** The computer system of claim ~~[[34]]~~ 22 further comprising a delivery options module configured to provide the user with options to communicate the content to the designated online identities that are not presently online using a communications program other than instant messaging.

**38. (Cancelled)**

**39. (Currently amended)** The computer system of claim ~~[[38]]~~ 22 wherein a cascaded delivery rule is specified for each of the designated online identities by each of the designated online identities.

**40. (Currently amended)** The computer system of claim ~~[[38]]~~ 22 wherein the user specifies a delivery rule for each of the designated online identities.

**41. (Currently amended)** The computer system of claim ~~22~~ wherein ~~receiving~~ the content selection module is configured to receive the indication of the content to be shared with each of the designated online identities ~~occurs before~~ the user designation module enables designation of the online identities.



**42. (Currently amended)** The computer system of claim 22 wherein ~~receiving~~ the content selection module is configured to receive the indication of the content to be shared with each of the designated online identities ~~occurs~~ after the user designation module enables designation of the online identities.

**43. (Currently amended)** An apparatus for sharing electronic content, the apparatus comprising:

access means for enabling access to a ~~buddy~~ contacts list user interface that makes perceivable user-identified online identities and real time presence information for at least some of those online identities;

user designation means for enabling designation of several online identities that constitute a subset of the online identities for whom presence is indicated within the ~~buddy~~ contacts list based on user manipulation of the ~~buddy~~ contacts list interface;

content selection means for receiving from the user an indication of content to be shared with each of the designated online identities;

a presence-determining means for determining which of the designated online identities presently are online;

a rule resolution means for resolving a cascaded delivery rule to choose one or more delivery mechanisms for communicating the content to the designated online identities;

a communications means for using the chosen delivery mechanisms to independently communicate the content to the designated online identities by:

~~communications establishing means for establishing separate~~  
~~communications with each of the online identities designated by the user; and~~  
~~communications means for communicating content on behalf of the user~~  
~~independently to each of the online identities designated by the user. user,~~

communicating the content to the designated online identities that are  
presently online using instant messaging, and

communicating the content to the designated online identities that are not  
presently online using a communications program other than instant messaging.

**44. (Currently amended)** A method of sharing electronic content, the method comprising:

enabling user generation of application-specific, sharable electronic content;  
receiving user selection of a first instant messaging entity and a second instant  
messaging entity;

generating a single message that includes the application-specific, shareable  
electronic content and that is to be associated with the first instant messaging entity and  
the second instant messaging entity;

enabling the user to send the ~~message~~ message, using an instant messaging  
~~platform that is sent~~ platform, concurrently to the first instant messaging entity and the  
second instant messaging entity; [[and]]

determining which of the first and second instant messaging entities are online;  
resolving a cascaded delivery rule to choose one or more delivery mechanisms  
for communicating the message to the first and second instant messaging entities;

using the chosen delivery mechanisms to independently communicate the message to the first and second instant messaging entities, including: \  
establishing separate communications with the first and second instant messaging entities,  
communicating the message to an instant messaging entity that is presently online using instant messaging, and  
communicating the message to an instant messaging entity that is not presently online using a communications program other than instant messaging;  
and  
mediating responses received from the first and the second instant messaging entities.

**45. (Currently amended)** The method of claim 44 ~~wherein~~ wherein:  
the electronic content is a calendar event from a calendar application; and  
the method further comprises recognizing the first instant messaging entity and the second instant messaging entity ~~comprises recognizing the first instant messaging entity and the second instant messaging entity~~ as invitees to the calendar event.

**62. (Currently amended)** The method of claim 44 wherein the first instant messaging entity or the second instant messaging entity is listed in a ~~buddy~~ contacts list.

**63. (Currently amended)** The method of claim ~~[[44]]~~ 45 wherein recognizing the first instant messaging entity and the second instant messaging entity occurs before enabling user generation of the electronic content.

**65. (Currently amended)** The method of claim 44 further comprising:

modifying the electronic content as indicated in [[the]] a response from one of the first or second instant messaging entities to produce modified electronic content;

generating a new message including the modified electronic content, the new message being associated with the first instant messaging entity and the second instant messaging entity; and

enabling the user to send the new message as an instant message to the first instant messaging entity and the second instant messaging entity using the application.

**66. (Currently amended)** A method of sharing electronic content, the method comprising:

enabling access to user designation of contacts for whom presence is maintained;

enabling user selection of one or more of the contacts;

recognizing user selection of a first contact and a second contact from the contacts;

accessing an electronic message associated electronically with the first contact and the second contact as recipients; [[and]]

determining which of the first contact and the second contact are online;

resolving a cascaded delivery rule to choose one or more delivery mechanisms for communicating the message to the first contact and the second contact;

using the chosen delivery mechanisms to independently communicate the content to the designated online identities, including:

sending the electronic message to ~~each of the first contact and the second contact~~ a contact that is presently online using an instant messaging ~~system~~  
system, and

sending the electronic message to a contact that is not presently online  
using a communications program other than instant messaging.

**67. (Currently amended)** The method of claim 66 wherein ~~sending~~  
communicating the electronic message is in response to a single user instruction.

**68. (Currently amended)** The method of claim 66 wherein ~~enabling user~~  
~~description,~~ enabling user selection, recognizing user selection, accessing the electronic  
message, and ~~sending~~ communicating the electronic message are each performed by  
an instant messaging application.

**69. (Currently amended)** The method of claim 68 wherein:  
the electronic message comprises an invitation to a calendar event,  
accessing the electronic message comprises accessing the invitation, and  
~~sending~~ communicating the electronic message comprises sending the invitation.

**70. (Currently amended)** An apparatus comprising a computer readable  
medium having instructions stored thereon that when executed by a machine result in at  
least the following:

enabling access to user designation of contacts for whom presence is  
maintained;

enabling user selection of one or more of the contacts;

recognizing user selection of a first contact and a second contact from the contacts;

accessing an electronic message associated electronically with the first contact and the second contact as recipients; [[and]]

determining which of the first contact and the second contact are online;

resolving a cascaded delivery rule to choose one or more delivery mechanisms for communicating the message to the first contact and the second contact;

using the chosen delivery mechanisms to independently communicate the content to the designated online identities, including:

~~sending the electronic message to each of the first contact and the second contact~~ a contact that is presently online using an instant messaging system.  
system, and

sending the electronic message to a contact that is not presently online  
using a communications program other than instant messaging.

**71. (Currently amended)** An apparatus comprising a computer readable medium having instructions stored thereon that when executed by a machine result in at least the following:

enabling user generation by an application of electronic content to be shared with at least a first recipient and a second recipient using an instant messaging system;

recognizing by the application user selection of a first instant messaging entity as the first recipient and a second instant messaging entity as the second recipient;

generating a message including the electronic content, the message being associated with the first instant messaging entity and the second instant messaging entity;

determining which of the first instant messaging entity and the second instant messaging entity are presently online;

resolving a cascaded delivery rule to choose one or more delivery mechanisms for communicating the message to the first and second instant messaging entities;

enabling the user to send the message as an instant message that is sent concurrently to the first instant messaging entity and the second instant messaging entity using the application; and application, including:

sending the message to an entity that is presently online as an instant message, and

sending the electronic message to a contact that is not presently online as a communication other than an instant message; and

receiving a response to the message from the first instant messaging entity that is not sent to the second instant messaging entity or from the second instant messaging entity that is not sent to the first instant messaging entity.

#### ***Allowable Subject Matter***

4. Claims 1, 3-12, 14-16, 18-22, 24-33, 35-37, and 39-71 are allowable over prior art of record in light of the arguments presented in the Application filed April 20, 2004 and the Examiner's Amendment above.

5. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose, teach, or suggest neither singly nor in combination the claimed limitation of "resolving a cascaded delivery rule to choose one or more delivery mechanisms for communicating the content to the designated online identities; using the chosen delivery mechanisms to independently communicate the content to the designated online identities" and "communicating the content to the designated online identities that are not presently online using a communications program other than instant messaging" as recited in independent claims 1, 22, 43, 44, 66, 70 and 71.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/

Primary Examiner

December 21, 2007